

REMARKS

Claims 1-17 and 30-32 are pending in the application.

~~Claims 18-29~~ have been withdrawn from consideration.

Claims 1-7 and 30-32 have been rejected.

Claims 1, 3, 4, 9, 11, 13 and 30-32 have been amended, as set forth herein.

I. REJECTIONS UNDER 35 U.S.C. § 112

Claims 1-17 and 30-32 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Claims 1-17 and 30-32 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. The rejections are respectfully traversed.

Applicant has amended independent Claim 1 to recite a “welding region formed by the removal of at least a portion of the insulator, the welding region formed to expose at least a portion of the at least one conductor” and “a band welded to the conductive pad at the welding region”. Support for this language is found in the Specification, page 6, lines 25-26 (“ . . . band electrode . . . is configured for two welds at a welding region 20”); page 7, lines 2-4 (“Welding region 20 is typically formed by removing the insulating material . . .); and Figures 2 and 3. Applicant has also amended independent Claim 30 to recite “a band welded to the conductive pad at the welding region.”

In addition, Claim 9 and other claims, have been amended solely to correct informalities and correct claim language to overcome objection(s).

Accordingly, the Applicant respectfully requests withdrawal of the § 112 rejections of Claims 1-17 and 30-32, and objection to Claim 32.

II. REJECTION UNDER 35 U.S.C. § 102

Claims 1-17 and 30-32 were rejected under 35 U.S.C. § 102(b) as being anticipated by Winkler (US 5,417,208). The rejection is respectfully traversed.

A cited prior art reference anticipates the claimed invention under 35 U.S.C. § 102 only if every element of a claimed invention is identically shown in that single reference, arranged as they are in the claims. MPEP § 2131; *In re Bond*, 910 F.2d 831, 832, 15 U.S.P.Q.2d 1566, 1567 (Fed. Cir. 1990). Anticipation is only shown where each and every limitation of the claimed invention is found in a single cited prior art reference. MPEP § 2131; *In re Donohue*, 766 F.2d 531, 534, 226 U.S.P.Q. 619, 621 (Fed. Cir. 1985).

With respect to independent Claim 1 (and dependent Claims 2-8), Winkler fails to disclose Applicant's medical lead wherein the insulator includes at least one welding region formed by removal of at least a portion of the insulator, the welding region formed to expose at least a portion of the at least one conductor, with the band welded to the conductive pad at the welding region to electrically connect the band to the conductor. (emphasis added). See, Claim 1, as amended; and Figures 2, 3. Winkler does not disclose that the band is welded to the

conductive pad at the welding region, as the Winkler band (53) does not appear to make contact with the ribbon (51) at the welding region (as defined by Applicant's Claim 1), and thus is not capable of welding at the welding region.

With respect to independent Claim 9 (and dependent Claims 10-17), Winkler fails to disclose Applicant's lead body wherein the elongated conductive element has a distal end and a proximal end, with the proximal end electrically connected to the conductor within the welding region and the band welded to the distal end of the elongated conductive element. (emphasis added). See, Claim 9, as amended. Winkler does not disclose that the band is welded to distal end of an elongated conductive pad, as the Winkler ribbon (51) is wrapped completely one turn and back upon itself. Col. 6, line 51 - Col. 7, line 4. Therefore, the distal end of the ribbon (51) does not appear to make contact with the band (53) and thus is not capable of having the distal end of the ribbon (51) welded to the band.

With respect to independent Claim 30 (and dependent Claims 31-32), Winkler fails to disclose Applicant's medical lead wherein the insulator includes at least one welding region defined by a groove formed in the insulator to expose at least a portion of the at least one conductor, with the band welded to the conductive pad at the welding region to electrically connect the band to the conductor. (emphasis added). See, Claim 30, as amended; and Figures 2, 3. As described above, Winkler does not disclose that the band is welded to the conductive pad at the welding region.

Accordingly, the Applicant respectfully requests the Examiner withdraw the § 102(b) rejection of Claims 1-17 and 30-32.

III. CONCLUSION

As a result of the foregoing, the Applicant asserts that the remaining Claims in the Application are in condition for allowance, and respectfully requests an early allowance of such Claims.

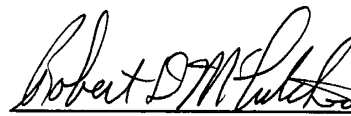
If any issues arise, or if the Examiner has any suggestions for expediting allowance of this Application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at rmccutcheon@davismunck.com.

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Davis Munck Deposit Account No. 50-0208.

Respectfully submitted,

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